Morris, Craig

From: Peter Cross (b)(6)
Sent: Thursday, January 27, 2011 7:43 PM
To: TMFeedback
Subject: trademarks and litigation over them

I wish to make a broad comment--I have not had specific experience with trademark litigation.

This situation first got my attention as an editor long ago when I found out that Realtor(R) had become a trademark for people who arrange transactions on property. As someone concerned occupationally and, I'll say, almost spiritually with the functions of language, I couldn't stop laughing for a week.

Extending the model, I could see the world populated with Doctors® and Dog Walkers® and Pumpers of Sewage® and Plumbers® and Housewives® and Bank Thieves® and Bank Robbers® (the latter somehow wanting to distinguish themselves from the former), and even Children® , or maybe Boys® and Girls® .

Given the present situation, I still desire that such groups and many others will establish their trademarks, so as to expose the utter silliness of the whole idea. But If I ran the trademark office, I would not grant a trademark to any term, label, or image which can be looked up in a dictionary or found in a comprehensive collection of clip art. If 600 out of 1000 people, for instance, know the definition of the word or the general symbolism of the items in the image, it can't get trademarked. Letting members of the Association of Realtors get this trademark was a horrible idea, it should be taken away from them if possible, and NO further instances permitted.

We need intelligent persons in the 21st Century to devote their attention to the many threats to commonweal and, even, the survival of human civilization. Let these lawyers go build dams and canals, for existence, or housing condominiums with shells robust enough to withstand extreme weather events.

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